BILL NO. S-93-08-09

SPECIAL ORDINANCE NO. S-Lost

AN ORDINANCE APPROVING A POLICY AND PROCEDURE MANUAL FOR THE CITY OF FORT WAYNE.

WHEREAS, I.C. 5-10-6-1 provides that employee benefits such as vacation with pay, sick leave, paid holidays and other similar benefits must be established by ordinance;

WHEREAS, there is a desire to establish a procedure for amending the City's Policy and Procedure Manual in the future.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. The August, 1993, revised edition of the City of Fort Wayne's Policy and Procedure Manual, two (2) copies of which are on file in the office of the City Clerk and available for public inspection, is hereby approved and ratified.

SECTION 2. Amendments to the City of Fort Wayne's Policy and Procedure Manual may be made by executive order and effective fifteen (15) days after distribution to employees, provided that Council approval shall be needed for any amendments related to vacation with pay, sick leave, paid holidays and other similar benefits.

SECTION 3. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Rebecca Lavine
Council Member

APPROVED AS TO
FROM AND LEGALITY

J. Timothy McCaulay
J. Timothy McCaulay, City Attorney

CHANGES IN THE CITY OF FORT WAYNE POLICY AND PROCEDURE MANUAL
AS OF
AUGUST 19, 1993

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 3.0	Reference to Collective Bargaining Agreements in Force (previously 3.0): New policy deletes language re "... legitimate desire of employees to organize and be represented..."	
P&P 4.0	A.2.a. This paragraph defines what a city employee is and was not included in the previous policy.	
P&P 4.2 (Old P&P 4.4 and P&P 7.2)	Policy name change, incorporating "Selection Process" and "Promotions" into one policy. "External Recruitment Policy", scope, etc. has been deleted in "New" manual.	
P&P 4.3	The following was deleted from the old manual on "Equal Employment Opportunity/Affirmative Actions": 1. A. Policy, including 1 through 4 sub-paragraphs. 2. B. Scope. 3. C. General, 1-b. 4. #2 b and c. 5. #3 a,b,e,f,g, and h. 6. #4 Affirmative Action Plan The above were policies thought to be more appropriately placed in the City's Affirmative Action Program.	
P&P 4.4 (Old P&P 6.14)	The following was deleted from the old manual on "Discrimination": 1. A. Policy. 2. B. Scope. 3. D. General, #2,#3, and #4. (a-d). This is to be included in the City's Affirmative Action Program.	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 4.5 (Old P&P 6.14A)	The following was deleted from the old manual on "Sexual Harassment": 1. A. Policy. 2. B. Scope. 3. D. General, #2,#3, #4, #5, and #6.	
P&P 4.6a	The policy on "Communicable Diseases" is new.	
P&P 4.7 (Old P&P 4.6)	This policy has been changed to preclude nepotism in a supervisor/employee relationship only, and to leave the method of correction or continued employment up to the Mayor. The following was deleted from the old manual on "Nepotism": 1. A. Policy 2. B. Scope. 3. C. General Provisions, (1st paragraph). 4. Statement. Nepotism shall not exist anywhere within the chain of command. 5. D. Notification of potential Nepotism paragraph "replaced."	
P&P 4.9 (Old P&P 4.5)	The following was deleted from the old manual on " Pre-Employment Processing/Paperwork": 1. A. Policy. 2. B. Scope.	
P&P 4.10 (Old P&P 5.0)	A.1. The new policy explains the commencement of Life and Health Insurance after employee's 31st day. A.5. requires the performance evaluation to be done one week before conclusion of the trial process rather than prior to completion of the trial period.	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 5.1 (Old P&P 9.3)	The following was deleted from the old manual on "Equal Employment Opportunity (EEO) Complaints": 1. A. Policy paragraph "replaced". 2. B. Scope. 3. #7 City retaliation paragraph "deleted".	
P&P 5.2 (Old P&P 9.2)	Added specific time limit for responses to complaints (A.2.b & d.)	
P&P 5.3 (Old P&P 9.1)	This policy is titled, "Union Grievances".	
P&P 6.1	Schedule for deducting pay for tardiness included in manual.	
P&P 6.2	Defines all positions within the City re: FLSA. Overtime must be approved before worked/used.	
P&P 6.4 (Old P&P 6.3)	Personal time increased 24 hours. Minimum hours used decreased from 4 to 1.	
P&P 6.5 (Old P&P 6.4)	Holidays decreased from 15 to 10. Holidays will not be paid if employee is absent from work before or after without reasonable cause.	
P&P 6.6 (Old P&P 6.5)	Vacation Time in City ordinance G-15-92 is explained. Part-time employees vacation accrual defined. Eligibility for 5 weeks of vacation changed from 25 years to 20 years. Vacation accrual per week: 80 hours/1.54; 120 hours/2.31; 160 hours/3.08; 200 hours/3.85. Termination vacation may be extended up to 120 days.	
P&P 6.7 (Old P&P 6.6)	Worker's Compensation changed from City paying the employees the difference between their normal salary and the compensation insurance benefit to provisions as defined under state law.	
P&P 6.8	Policy on "Checking on Sick Employees" is new.	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 6.9	Policy on "Sick Time Bank Program."	
P&P 6.10	Policy on "Limited Duty Work Assignments" is new.	
P&P 6.11 (Old P&P 6.7)	Funeral Leave; added aunts and uncles.	
P&P 6.12 (Old P&P 6.8)	Deleted leave of absence not granted until employee has completed a year of service. Light duty offered as alternative to leave of absence.	
P&P 6.13	Policy on "Family and Medical Leave" is new.	
P&P 6.14 (Old P&P 6.10)	Disciplinary actions completely re-written to expand reasons for discipline.	
P&P 6.15 (Old P&P 6.9)	The following was deleted from the old manual on "Work Rules/Regulations": 1. A. Policy. 2. B. Scope. 3. C. General, #1, #4, and #5.	
P&P 6.16 (Old P&P 6.12)	Policy on "Safety and Health Policy."	
P&P 6.17 (Old P&P 6.13)	Policy on "Conflict of Interest."	
P&P 6.18 (Old P&P 6.17)	Policy on "Take-Home Vehicle Policy."	
P&P 7.1	The following was deleted from the old manual on "Temporary Transfers": 1. C.1 "reserve the right to fill all temporary openings with outside personnel." The following was added to the new manual on "Temporary Transfer": 1. A.1 "reserve the right to fill all temporary openings with outside personnel subject to the terms and provisions of the City's collective bargaining agreements."	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 7.1 (cont'd)	The following was deleted from the old manual on "Temporary Transfers": 1. C.4 "While the primary concern of management in temporary assignments or transfers is the most effective use of human resources in meeting the legitimate business needs of the unit, the employees desires will be honored wherever possible."	
P&P 7.2 (Old P&P 7.3)	The following from the old manual P&P 7.3 was changed: 1. C.4 "Demotions for disciplinary reasons will be employed only in rare circumstances for long term employees with prior good records as an alternative to termination. This action will be subject to all Union grievance or Non-Union Complaint Process procedures. The decision to demote may be made only by the appropriate manager with concurrence of the City Personnel Director." The following in the new manual P&P 7.2 replaces the above: 1. A.4 "Demotions for disciplinary reasons may be employed at management's discretion as an alternative to termination. This action will be subject to all Union Grievances or Non-Union Complaint Process procedures. The decision to demote may be made only by the appropriate manager with concurrence	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 7.2 (Old P&P 7.3) cont'd	of the Human Resources Director only after the pre-deprivation process has been utilized."	
	The following in the old manual P&P 7.3 has been replaced: 1. C.5 "Demotions for inadequate performance will be made only for employees previously promoted from a lower grade and will be based upon documented evidence that the individual has been unable to overcome the problems described. Such action will follow these general guidelines..."	
	The following has been added to the new manual P&P 7.2: 1. C.5 "Demotions for inadequate performance will be made based upon documented evidence that the individual has been assisted to overcome the problems described only after a pre-deprivation hearing has been scheduled. Such action will follow these general guidelines..."	
P&P 7.3 (Old P&P 7.4)	The following has been changed in the old manual under Old P&P 7.4: 1. C.2 "In the event that a reduction in the work force is necessary, the following will be the procedures for such reduction:"	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 7.3 (Old P&P 7.4) cont'd	The following has been added in the new manual under New P&P 7.3 to replace the above:	

1. A.2 "In the event that a reduction in the work force is necessary, the employee with the least seniority in the affected job classification shall be the first to be laid off. Job classification shall be defined as that position or those positions which possess the same job title and job function.

The following has been deleted from the old manual under Old P&P 7.4:

1. C.2.a; C.2.b; C.2.c.

The following has been deleted from the old manual under P&P 7.4:

1. C.4 "not filled by the normal internal bidding procedures."

The following has been added to the new manual under P&P 7.3:

1. A.4 "Employees will be considered for recall only to open positions. The employee most recently laid-off, who possesses the necessary qualifications, will be the first recalled.."

The following has been deleted from the old manual under P&P 7.4:

1. C.5 "but will not accrue during a layoff..."

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 7.3 (Old P&P 7.4) cont'd	The following has been added to the new manual under P&P 7.3: 1. A.5 "but will not be earned during a layoff..."	
P&P 7.4 (Old P&P 7.5)	The following has been deleted from the old manual under P&P 7.5: 1. C.1.a "Completion of the probationary period (90 Days)..." The following has been added to the new manual under P&P 7.4: 1. A.1.a "Completion of the trial period (90 Days)..." The following has been deleted from the old manual under P&P 7.5: 1. C.4 "Evaluations will be .. to the City Personnel..." The following has been added to the new manual under P&P 7.4: 1. A.4 "Evaluations will be .. to the Human Resources Department..."	
P&P 7.5 (Old P&P 7.6)	The following has been deleted from the old manual under P&P 7.6: 1. C.3 "...or for questions related to pay or benefits." The following has been added to the new manual under P&P 7.5: 1. A.3 "...or for questions related to pay, benefits, or disciplinary actions." The following has been deleted from the old manual under P&P 7.6: 1. C.4 "...orally by telephone with the exception of verifications of employee's employment, date of hire and current position title..."	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 7.5 (Old P&P 7.6)	The following has been added to the new manual under P&P 7.5: 1. A.4 "...orally by telephone with the exception of verification of employee's employment, date of hire, current position title, and pay."	
P&P 7.6 (Old P&P 7.7)	The following has been deleted from the old manual under P&P 7.7: 1. C.1.b "...on a notice of Employee Discipline Form..." 2. C.1.e "...Mayor will review all department level management discharges." 3. C.2.b "(1) to the Personnel Office... 4. C.2.e "...and authorization of the Personnel Director..." 5. C.3.e "A minimum of two (2) weeks notice must be given by the employee,in writing, of his/her intent to resign. Vacation pay will be paid for vacation earned but not taken as of the last day worked." 6. C.4.a "There shall be no severance pay, except for the bonus for unused sick time..."	
	The following has been added to the new manual under P&P 7.6: 1. A.1.b "...on a notice of Proposed Employee Suspension or Termination Form..." 2. A.1.e "...Mayor will review all department management level discharges." 3. A.1.d New addition to Policy. 4. A.2.b "...(1) to the Human Resources Department.."	

NEW POLICY NUMBER		CHANGES	MONETARY IMPLICATIONS
P&P 7.6 (Old P&P 7.7)	5.	A.2.c "... and authorization of the Human Resources Department.."	
	6.	A.3.c "In order to maintain continuity of service, a minimum of two (2) weeks notice should be given to the employee's supervisor before employee's last day of work."	
	7.	A.4.a "Upon retirement, or upon resignation, after ten (10) years of service with the City of Fort Wayne, an employee shall receive payment for all accrued sick time at the following rates:	$1.00 each hour up to 520 hours. 25% of the employee's normal straight time hourly rate for each accumulated hour over 520.
	8.	A.4.c.Retiring employee should notify the City no less than two (2) weeks in advance for expected last day of work, previous policy indicated one (1) month.	
	9.	A.7.c.Requests any other City property to be returned...this might include specific items, i.e. Building Access Card, Parking Tag, etc.	
	10.	A.8.a and 8.c. Both make reference in the new Policy to Ordinance G-15-92 governing an employee's vacation benefits.	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 8.1 (Old P&P 8.3)	New manual explains that medical and dental insurance is offered without going into details as to who the coverage is with or what type of coverage (i.e. 80/20). It also explains who is eligible and the waiting period for the benefit plans. That an open enrollment will occur each year. Also, the following benefits that were not addressed in the old manual: Cobra, Long-Term Disability, Flex Benefit Program, Deferred Compensation, Death Benefits, Parking Accommodations. Under Retirement Benefits, the new manual states the City contributes the three (3) percent on behalf of the employee. New manual explains employee is eligible to receive a lump sum settlement for unused vacation time at retirement. New manual explains to contact Human Resources prior to retirement and for assistance in submitting appropriate paperwork to PERF. Explains retirees are eligible to contribute insurance coverage either through state law or Cobra. New manual does not explain educational assistance program or credit union benefits. Employee Assistance Program is explained in more detail in old manual (new manual lets employees know it is available.)	
P&P 9.0	New section titled, "Forms." The following has been added to the "Paid Leave of Absence" form: "I understand and agree that I am not to accept other employment of any kind during a leave for family or personal illness, injury or other incapacitating situations. I further agree and understand that my service/return is governed by the prevailing seniority rules and the rules and regulations of the Retirement Plan, Vacation Plan, Group Hospital and Surgical Benefit Plan, Group Life Insurance Plans, Disability Benefits or any other plan based on service and any and all Personnel Policies."	

NEW POLICY NUMBER	CHANGES	MONETARY IMPLICATIONS
P&P 9.0 cont'd	The following has been added to the "Unpaid Leave of Absence" form: "Finally, I understand and agree that to the extent my unpaid leave of absence is taken pursuant to the provisions of the Family and Medical Leave Act of 1993 (F&MLA), those provisions shall control. To the extent that the F&MLA provisions are in conflict with any of the policies and provisions set out above, the F&MLA provisions shall supersede and control for any F&MLA unpaid leave of absence. The P&P number referring to the Unpaid Leave or Paid Leave has been changed to P&P 6.12 instead of P&P 6.8 on both forms.	

POLICY #	BENEFITS		OLD	NEW	DIFFERENCE	COST	EMPLOYEES	TOTAL WAGES	OTHER COSTS
6.2	COMP TIME		40 hrs worked	40 hrs using holiday/comp time				$0	
6.4	PERSONAL DAYS	EXPT	16 hrs	40 hrs	24 hrs	$360	92	$33,120	
		EXPT1	40 hrs	64 hrs	24 hrs	$360	161	$57,960	
6.5	HOLIDAYS		120 hrs	80 hrs	(40 hrs)	($600)	253	($151,800)	
6.6	VACATION		25 yrs	20 yrs	40 hrs	$600	11	$6,600	
**	Amounts of more than one year carryover shall be reimbursed to the employee.				40 hrs	$600			
6.7.10	WORKER'S COMP		20% OA	20% VAC, ETC				$0	
6.11.3	FUNERAL		0 hrs	24 hrs aunts & uncles		$360	3	$1,080	
6.13.5	FAMILY LEAVE INS PREM			$300 per mo		$900 3 months prem	3		$2,700
6.18.d.3	PAYMENT FOR PERSONAL UASAGE		Taxable $3 per day	same		Added income			
				$.28 per mile deducted		Deduction			
7.6.4.a	RETIREMENT		$1 X 520 Hrs	25% of rate x hrs over 520					
			example	770.0 sick hours		$520	$937.50	$1,458	
**	Employee may purchase health insurance								
								($51,583)	
	COMPANY COSTS								
	SOCIAL SECURITY	6.20%						($3,198)	
	MEDICARE	1.45%						($748)	
	PERF PENSION	10%						($5,158)	
	TOTAL SAVINGS/COSTS	($15 average hourly rate)						($60,687)	
	TOTAL NON-UNION EMP	274							
	UNCLASSIFIED	21						13-Aug-93	
	NON-UNION EMP	253							

Read the first time in full and on motion by Ravine, seconded by ~~by~~ _____, and duly adopted, read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19____, at _____ o'clock ____ M., E.S.T.

DATED: 8-24-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Ravine, seconded by ~~by~~ _____, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	3	4		2
BRADBURY				✓
EDMONDS		✓		
GiaQUINTA				✓
HENRY		✓		
LONG		✓		
LUNSEY	✓			
RAVINE	✓			
SCHMIDT		✓		
TALARICO	✓			

DATED: 10-26-93

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ~~ORDINANCE~~ RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL)

_____
SANDRA E. KENNEDY, CITY CLERK

_____
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____, M., E.S.T.

_____
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

_____
PAUL HELMKE, MAYOR

THE CITY OF FORT WAYNE

Department of Human Resources
Room 380

FORT WAYNE - A WORLD ~ CLASS COMMUNITY

24-HOUR JOBLINE (219) 427-1186
BENEFITS ADMINISTRATION (219) 427-1198
EEO/AFFIRMATIVE ACTION (219) 427-1180
LABOR RELATIONS (219) 427-1180
PAYROLL (219) 427-1292
PERSONNEL (219) 427-1180
TDD (219) 427-1180
FAX (219) 427-1393

Paul Helmke
Mayor

M E M O R A N D U M

To: Members of the Ft. Wayne City Council

From: Nelson Peters, Director of Human Resources

Re: Policy and Procedure Manual

I-93-08-09.

Date: August 9, 1993

****

Enclosed is a copy of a proposed Policy and Procedure manual for employees who work for the City of Ft. Wayne. This manual represents several years of work and addresses recent and pending legislation. It is anticipated that this manual will be introduced to you on August 24, 1993.

To assist you in reviewing the manual several items will follow within the next week. The first is a detailed breakdown of changes since the last manual was written in November, 1987. The second is a spread sheet which distinguishes those benefits with monetary implications.

I hope you find this information useful. Should you have any questions regarding this manual, please don't hesitate to call.

Admn. Appr._____

DIGEST SHEET

TITLE OF ORDINANCE SPECIAL ORDINANCE

DEPARTMENT REQUESTING ORDINANCE HUMAN RESOURCES

SYNOPSIS OF ORDINANCE 1.) APPROVES AUGUST, 1993, REVISED EDITION OF CITY OF FORT WAYNE'S POLICY AND PROCEDURE MANUAL;

2.) AMENDMENTS TO THE CITY OF FORT WAYNE'S POLICY AND PROCEDURE MANUAL MAY BE MADE BY EXECUTIVE ORDER.

EFFECT OF PASSAGE AUGUST 1993 EDITION OF THE CITY OF FORT WAYNE'S POLICY AND PROCEDURE MANUAL IS APPROVED.

EFFECT OF NON-PASSAGE AUGUST 1993 EDITION OF THE CITY OF FORT WAYNE'S POLICY AND PROCEDURE MANUAL IS NOT APPROVED.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS)_____

ASSIGNED TO COMMITTEE (PRESIDENT)_____

BILL NO. S-93-08-09

REPORT OF THE COMMITTEE ON
REGULATIONS

DAVID C. LONG & REBECCA J. RAVINE - CO-CHAIRPERSONS
LUNSEY, SCHMIDT

WE, YOUR COMMITTEE ON REGULATIONS TO WHOM WAS

REFERRED AN (ORDINANCE) (~~RESOLUTION~~) APPROVING A POLICY AND PROCEDURE MANUAL FOR THE CITY OF FORT WAYNE

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (ORDINANCE) (~~RESOLUTION~~)

DO PASS	DO NOT PASS	ABSTAIN	NO REC

DATED: 10-26-93.

Sandra E. Kennedy
City Clerk